

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CRIM NO. 19-00099 DKW-KJM
	)	
Plaintiff,	)	ORDER DENYING DEFENDANT
	)	MICHAEL J. MISKE, JR.'S
vs.	)	MOTION TO COMPEL
	)	DISCLOSURE FOR TRIAL OF
MICHAEL J. MISKE, JR. (01),	)	<i>BRADY</i> AND RULE 16 MATERIAL
JOHN B. STANCIL (02),	)	REGARDING THE FISHING
DELIA FABRO MISKE (12)	)	VESSEL RACHEL
JASON K. YOKOYAMA (13)	)	
	)	
Defendant.	)	
	)	
	)	

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ORDER DENYING DEFENDANT MICHAEL J. MISKE, JR.'S  
MOTION TO COMPEL DISCLOSURE FOR TRIAL OF *BRADY* AND  
RULE 16 MATERIAL REGARDING THE FISHING VESSEL RACHEL

Defendant Michael J. Miske, Jr. (“Miske”) filed a Motion to Compel Disclosure of *Brady* Materials and Rule 16 Material Regarding the Fishing Vessel Rachel, Which is Material to Pending Motions to Suppress (Dkt. Nos. 963, 964) and for Trial, In the Possession, Custody or Control of the United States Coast Guard, the United States Department of Homeland Security’s Bureau of Customs and Border Protection, and the Honolulu Police Department. ECF No. 1024 (“Motion to Compel”). The district court referred to this court the portion of the Motion to Compel concerning trial, *i.e.*, Part II, III, IC, and V(B). ECF No. 1099 at n.8.

On November 22, 2023, the Government filed its response to the Motion to Compel concerning trial. ECF No. 1119 (“Response”). The Response, though disagreeing with the Motion to Compel, represents that the Government requested any responsive items sought by the Motion to Compel from the United States Coast Guard, the United States Department of Homeland Security’s Bureau of Customs and Border Protection, and the Honolulu Police Department, and produced the items it received on November 20, 2023. Response at 1. The Response adds that the Government is not aware of any additional responsive items, but will produce such items if it learns of them in the future. Response at 1-2.

Given the Government’s actions and position going forward, the Court denies as moot the Motion to Compel concerning trial.

IT IS SO ORDERED.

DATED: Honolulu, Hawai‘i, November 24, 2023.



  
Kenneth J. Mansfield  
United States Magistrate Judge

CRIM NO. 19-00099 DKW-KJM; *USA v. Miske, et al.*, ORDER DENYING DEFENDANT MICHAEL J. MISKE, JR.’S MOTION TO COMPEL DISCLOSURE FOR TRIAL OF *BRADY* AND RULE 16 MATERIAL REGARDING THE FISHING VESSEL RACHEL